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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,991	12/14/2001	Tadamasa Yamanaka	B-4436 619405-1	8406
36716	7590	03/24/2005	EXAMINER	
LADAS & PARRY 5670 WILSHIRE BOULEVARD, SUITE 2100 LOS ANGELES, CA 90036-5679			HOOSAIN, ALLAN	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,991	YAMANAKA ET AL.	
	Examiner	Art Unit	
	Allan Hoosain	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 December 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 December 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/9/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 23-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 10-11, 19-32 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Gormley** (US 5,513,107).

As to Claim 1, with respect to Figures 1-2, **Gormley** teaches a parts management system for a mobile unit, comprising:

a detection device, 102, provided at the mobile unit and adapted to detect information related to management of parts of the mobile unit (Col. 8, lines 25-30);

a service center management device, 106, provided at a service center and permitted to communicate to the detection device, said service center management device being adapted to produce information for a user of the mobile unit according to the information related to the management of the parts of the mobile unit and detected by the detection device (Col. 8, lines 30-36); and

an information device, 144, permitted to communicate to the service center management device and adapted to send to the user of the mobile unit the information for the user of the mobile unit and produced by the service center management device (Col. 8, lines 38-48).

As to Claims 2,19-32, with respect to Figures 1-2, **Gormley** teaches a parts management system for a vehicle (mobile unit), comprising:

a detection device, 102, provided at the mobile unit and adapted to detect information related to management of parts of the mobile unit (Col. 8, lines 25-30);

a service center management device, 106, provided at a service center and permitted to communicate to the detection device, said service center management device being adapted to produce information for a dealer (a parts supplier) according to the information related to the management of the parts of the mobile unit and detected by the detection device (Col. 8, lines 30-36);

parts supplier management device provided as a unit of the parts supplier and permitted to communicate to the service center management device (Col. 8, lines 25-28); and

an information device, 144, permitted to communicate to the service center management device,

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wherein said parts supplier management device is adapted to produce information related to part supply according to the information for the parts supplier, said service center management device is adapted to produce information for the user of the mobile unit according to the information related to the part supply and said information device is adapted to send to the user of the mobile unit the information for the user of the mobile unit (Col. 8, lines 38-48).

As to Claims 3-4, **Gormley** teaches the system according to claim 1, wherein said information device is provided at the mobile unit (Figure 1).

As to Claims 10-11, **Gormley** teaches the system according to claim 1, wherein said information for the user of the mobile unit is information related to at least one of the parts required for replacement in the mobile unit (Col. 8, lines 46-49).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

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and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 5-9,12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gormley** in view of **Himmelstein** (US 6,647,270).

As to Claims 5-6, **Gormley** teaches the system according to claim 1, further comprising

Gormley does not teach the following limitation:

“a phone conversation device provided at the mobile unit for making phone conversations from the user to the service center in accordance with the information sent from the information device”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches a mobile telephone interface (Figure 2, label 144 and Col. 5, lines 45-48). **Himmelstein** teaches mobile units and voice conversations (Col. 4, lines 43-47). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add voice conversation to **Gormley**’s invention so that operators can talk with each other as taught by **Himmelstein**’s invention in order to provide control of vehicles.

As to Claims 7-9,18, **Gormley** teaches the system according to claim 1, further comprising a transmitting device provided at the mobile unit for transmitting a demand to the service center management device,

Gormley does not teach the following limitation:

“said demand being detected by the user of the mobile unit with reference to the
information sent from the information device”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches a mobile telephone interface (Figure 2, label 144 and Col. 5, lines 45-48). **Himmelstein** teaches mobile units and confirmations (Col. 7, lines 25-32 and Col. 10, lines 10-21). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add confirmation to **Gormley**’s invention so that operators can confirm requests as taught by **Himmelstein**’s invention in order to provide control of vehicles.

As to Claims 12-13, **Gormley** teaches the system according to claim 1, wherein said information related to the management of the parts of the mobile unit and detected by the detection device is information indicating a replacement time of at least one of the parts of the mobile unit,

Gormley does not teach the following limitation:

“replacement date”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches an appropriate which includes a default date or future date (Col. 8, lines 40-44). **Himmelstein** teaches mobile units which records date and time (Col. 8, lines 25-38). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add date to **Gormley**’s invention so that operators can know the date as taught by **Himmelstein**’s invention in order to provide control of vehicles.

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As to Claims 14-15, **Gormley** teaches the system according to claim 1, wherein said information related to the management of the parts in the mobile unit and detected by the detection device is information indicating faults of the mobile unit;

Gormley does not teach the following limitation:

“a mileage of the mobile unit”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches vehicle faults (Col. 8, lines 40-44). **Himmelstein** teaches mobile units which monitors mileage (Col. 12, lines 38-52). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add mileage to **Gormley**’s invention so that operators can know their speed as taught by **Himmelstein**’s invention in order to provide control of vehicles.

As to Claims 16-17, **Gormley** teaches the system according to claim 1, wherein said detection device includes a device for detecting a position at which the mobile unit exists, and said service center management device produces the information for the user of the mobile unit according to the detected position of the mobile unit;

Gormley does not teach the following limitation:

“a position at which the mobile unit exists”

However, it is obvious that **Gormley** suggests the limitation. This is because **Gormley** teaches vehicle communications control with the dealer (Col. 8, lines 40-44). **Himmelstein** teaches monitoring the vicinity of vehicles (Col. 10, lines 28-34). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the

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art to add vicinity to **Gormley's** invention so that positions of vehicles can be known as taught by **Himmelstein's** invention in order to provide control of vehicles.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Camhi (US 5,825,283) teaches monitoring safety of vehicles and interacion with their users.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Allan Hoosain
Primary Examiner
3/18/05